

m.v. 04-17-02  
CERTIFICATE OF MAILING BY EXPRESS MAIL  
Under 37 C.F.R. § 1.10

I hereby certify under 37 C.F.R. § 1.10 that this Response and corresponding transmittal documents are being deposited with the United States Postal Service as Express Mail Post Office to Addressee (Express Mailing label No. EV 092 576 508 US) with sufficient postage on the date indicated below and is addressed to Box Missing Parts, the Commissioner for Patents, Washington, D.C. 20231

Dated: 4-15-02

By: KA Cabello  
Kim A. Cabello



## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)  
For Design, Provisional, or Utility Applications

PATENT  
APPLICATION

COMPLETION Under  
Rule 53(f)

Attn: Application Division

In re PATENT APPLICATION of

Inventor(s): Gene Gould and Michael J. Conrad

Appln. No.:	<u>10</u>	<u>039,769</u>
Series Code ↑		Serial No. ↑

Atty.Dkt.	<u>P</u>	<u>016417</u>
M#		<u>272123</u>

Client Ref

Filed: December 31, 2001  
Title: SCANNING SPECTROPHOTOMETER FOR HIGH THROUGHPUT FLUORESCENCE POLARIZATION

Hon. Commissioner of Patents  
Washington, DC 20231

Date: April 15, 2002

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

- |   |   |   |
|---|---|---|
| 1. Notice to File Missing Parts                                     | <input checked="" type="checkbox"/> copy attached | <input type="checkbox"/> not yet received |
| 2. <input checked="" type="checkbox"/> Signed Declaration attached. | <input checked="" type="checkbox"/> Original      | <input type="checkbox"/> Facsimile/Copy   |

(Always "X" box 2 if filing signed Declaration and  
"X" box 2A only if top box of the Declaration is X'd and file application copy, or  
"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A.  Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B.  The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3.  Specification originally filed in non-English language; hence verified translation attached of:
  - a.  Abstract
  - b. #  pages of Specification (only spec. & claims)
  - c.  Drawing(s) \_\_\_\_\_  
No of Sheets \_\_\_\_\_
  - Fig(s). \_\_\_\_\_
4.  Letter filing formal drawing attached.
5.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

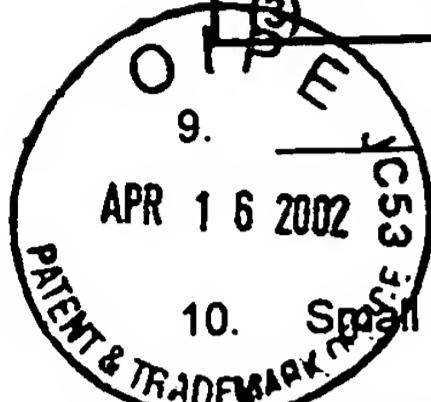
Application No.	Filing Date	Application N.	Filing Dat
(1) 60/259,326	December 29, 2000	(2)	

(3)	(4)
(5)	(6)

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in \_\_\_\_\_

8.

Application N .	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	



9. (No.) Certified copy (copies):  attached;  previously filed (date) \_\_\_\_\_ filed on \_\_\_\_\_

10. Small Entity Status 

is Not claimed  is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11.  Attached: Petition Under C.F.R. §1.47(a); Declaration of Victor J. Castellucci Under C.F.R. 1.47(a); Information Disclosure Statement; PTO Form-1449 and Cited References; Small Entity Statement

12.  Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

			Large/Small Entity		Fee Code
13. Basic Filing Fee .....	Design Application	\$330/\$165			106/26
	Not Design Application	\$740/\$370	+370		101/201
14. Total Effective Claims	65 minus 20 = 45	x \$18/\$9	+405		103/203
15. Independent Claims	6 minus 3 = 3	x \$84/\$42	+126		102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)		\$280/\$140	+0		104/204
17. Surcharge for filing Declaration/filing fee late		\$130/\$65	+65		105/205
18.	<b>FILING FEE ENCLOSED =</b>		<b>\$966</b>		
19. Original due date: April 15, 2002					
20. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2mos) (3mos) (4mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 =	+0		115/215 116/216 117/217 118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee .....		\$130	+0		139
22. If "assignment" box 5 is X'd, add recording fee. ....		\$40	+40		581
23. Petition Fee for 37 C.F.R. Sect. 1.47(a)		\$130	+130		
24.	<b>TOTAL FEE ENCLOSED =</b>		<b>\$1136</b>		

Our Deposit Account No. 03-3975  
Our Order No. 016417

272123

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP  
Intellectual Property Group

11682 El Camino Real  
Suite 200  
San Diego, CA 92130-2593  
Tel: (619) 234-5000

By Atty: Victor J. Castellucci Reg. N . 43,535

Sig:

Fax: (858) 509-4010  
T I: (858) 509-4007

Atty/Sec: VJC/KAC



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/039,769	12/31/2001	Gene Gould	16417-272123



Pillsbury Winthrop LLP  
Intellectual Property Group  
50 Fremont Street  
P.O. Box 7880  
San Francisco, CA 94105-2228

X 5

**CONFIRMATION NO. 9179**

**FORMALITIES LETTER**



\*OC00000007477706\*

Date Mailed: 02/15/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

04/19/2002 AOSMAN1 00000026 10039769

01 FC:201	370.00 OP
02 FC:202	126.00 OP
03 FC:203	405.00 OP
04 FC:205	65.00 OP

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$531.
  - \$405 for 45 total claims over 20.
  - \$126 for 3 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 966.**

*A copy of this notice **MUST** be returned with the reply.*

J. Seymour

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE